



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

For Meeting Date: July 8, 2010

Agenda Item No. 5: Approval of an Interim Management Plan for the Marin Quarry (CA Mine ID #91-09-0015), Sierra Pacific Industries (Operator), Mr. Robert Mertz (Agent), County of El Dorado.

INTRODUCTION: The State Mining and Geology Board (SMGB) acts as the lead agency for El Dorado County, pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA). Interim Management Plans (IMPs) are approved by the SMARA lead agency for a period of time not to exceed five years, and may be, upon termination of the original IMP and at the discretion of the lead agency, renewed by the lead agency for another period not to exceed five years.

REGULATORY AUTHORITY: IMPs are required pursuant to Public Resources Code (PRC) Section 2770(h)(1) which states:

"Within 90 days of a surface mining operation becoming idle, as defined in Section 2727.1, the operator shall submit to the lead agency for review and approval, an interim management plan...The interim management plan shall provide measures the operator will implement to maintain the site in compliance with this chapter, including, but not limited to, all permit conditions."

"Idle" as defined under PRC Section 2727.1 is:

"to curtail for a period of one year or more surface mining operations by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date."

Renewal of IMPs by SMARA lead agencies is addressed in PRC Section 2770(h)(2) which states:

"The interim management plan may remain in effect for a period not to exceed five years, at which time the lead agency shall do one of the following:

- (A) Renew the interim management plan for another period not to exceed five years, if the lead agency finds that the surface mining operator has complied fully with the interim management plan,*
- (B) Require the surface mining operator to commence reclamation in accordance with its approved reclamation plan."*



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BACKGROUND: The Marin Quarry is located approximately 19 miles east of the City of Placerville, and is situated on the south-facing flank of Peavine Ridge above the South Fork of the American River. The reclamation plan encompasses approximately 30 acres, and approximately 15 acres are deemed disturbed.

An inspection of the Marin Quarry surface mining operation was performed on October 28, 2009. No violations were noted at time of inspection. One corrective measure was noted at time of inspection regarding the need to repair gulying of the intervening bench surface on the southern fill slope. The operator provided photographic documentation that such repairs were completed immediately following the inspection. In addition, the SMGB's inspector recommended that the operator should provide an IMP to the SMGB for review and approval consideration.

On January 19, 2010, the SMGB received a proposed IMP from the operator for the Marin Quarry. After a preliminary review, SMGB staff provided the IMP to the Office of Mine Reclamation (OMR) for review and comment. On March 29, 2010, the SMGB received review comments from OMR which contained a recommendation that the IMP include a revised topographic map that showed site drainage and erosion control structures. SMGB staff concurred with OMR's recommendation, and on May 26, 2010, the operator provided the requested updated topographic map.

EXECUTIVE OFFICER'S ANALYSIS: Mineral production at the Marin Quarry has been curtailed by more than 90 percent of the operation's previous maximum annual mineral production for a period exceeding one year. In addition, the operator has indicated intent to resume surface mining operations at a future date. The operator has submitted an IMP to its lead agency, the SMGB, for review and approval. The operator utilized the SMGB's IMP form. The IMP provides measures the operator will implement to maintain the site in compliance with SMARA, including, but not limited to, all relevant permit conditions. OMR and SMGB staff have reviewed the IMP and consider it adequate in meeting the minimum requirements of SMARA and the SMGB's regulations.

EXECUTIVE OFFICER'S RECOMMENDATION: The Executive Officer recommends that the SMGB approve the Marin Quarry IMP for a period of up to five years, at which time the SMGB can consider an extension, if so desired, by the surface mine operator. Approval of the IMP for a period of five years would not preclude the operator from re-starting active mining operations before the end of such period, nor would it preclude the SMGB from performing inspections at least once each calendar year.



SUGGESTED MOTION LANGUAGE:

To approve the Interim Management Plan:

Mr. Chairman, in light of the information before the State Mining and Geology Board today, I move that the Board approve the Interim Management Plan for the Marin Quarry, CA Mine ID #91-09-0015, and adopt Resolution 2010-08, for a period not to exceed five years.

Respectfully submitted:

Stephen M. Testa
Executive Officer